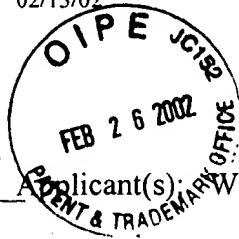


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NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS

2/13/02 Applicant(s): Walter H. Günzburg, David Winder and Robert M. Saller

Serial No.: 08/999,690 Group Art Unit: 1632

Filed: September 8, 1997 Examiner: Q. Li

For: Vectors Carrying Therapeutic Genes Encoding Antimicrobial Peptides For Gene Therapy

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231

on 2.13.02 Jenine Grunz  
Date Signature

Jenine Grunz  
Typed or printed name of person signing certificate

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Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated August 14, 2001 of the Primary Examiner finally rejecting claims 1-52. The item(s) checked below are appropriate:

1.  Applicant hereby petitions to extend the time for filing a Notice of Appeal in response to the Office Action Made Final dated August 14, 2001 for three month(s) from November 14, 2001 to February 14, 2002.
2.  A [ ] month extension of time to respond to the Office Action Made Final dated [ ] was filed on [ ] with payment of a \$[ ] fee.  
 Applicant hereby petitions for an additional [ ] month extension of time to respond to the Office Action Made Final.
3.  A Request for Oral Hearing before the Board of Patent Appeals and Interferences is being filed concurrently herewith.

02/27/2002 JAD001 00000095 08999950  
01 FC:117  
02 FC:113

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## 4. Fees are submitted for the following:

<input checked="" type="checkbox"/> Extension of Time for three month(s)	\$ <u>920</u>
<input type="checkbox"/> Additional Extension of Time:	
Fee for Extension      ([ ] mo.)	\$ _____
Less fee paid      ([ ] mo.)	- \$ _____
Balance of fee due	\$ <u>0</u>
<input checked="" type="checkbox"/> Notice of Appeal	\$ <u>320</u>
<input type="checkbox"/> Other _____	\$ _____
	TOTAL \$ <u>1240</u>

## 5. The method of payment for the total fees is as follows:

- A check in the amount of \$1,240.00 is enclosed.
- Please charge Deposit Account No. 08-0380 in the amount of \$[ ].

Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH, REYNOLDS, P.C.

By Anne J. Collins  
Anne J. Collins  
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Telephone: (978) 341-0036  
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Concord, MA 01742-9133

Date: February 13, 2002